

Wetlands Bureau Decision Report

Decisions Taken
08/04/2003 to 08/08/2003

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-00886 DERRY, TOWN OF **DERRY Tributary To Crystal Springs**

Requested Action:

Dredge and fill approximately 600 square feet within the bed and banks of an unnamed perennial tributary to Derry Prime Wetland F11 to extend an existing 36-inch x 28-foot culvert beneath Berry Road by approximately 8 feet to widen the roadway travel surface by 3 feet to facilitate 2-way traffic. Construct a headwall and plunge pool at the outlet of the culvert on the north side of Berry Road, and place stone rip-rap along the embankment at the inlet of the culvert on the south side of Berry Road.

Conservation Commission/Staff Comments:

No comments received from the Derry Conservation Commission.

Inspection Date: 07/17/2003 by Christian P Williams

APPROVE PERMIT:

Dredge and fill approximately 600 square feet within the bed and banks of an unnamed perennial tributary to Derry Prime Wetland F11 to extend an existing 36-inch x 28-foot culvert beneath Berry Road by approximately 8 feet to widen the roadway travel surface by 3 feet to facilitate 2-way traffic. Construct a headwall and plunge pool at the outlet of the culvert on the north side of Berry Road, and place stone rip-rap along the embankment at the inlet of the culvert on the south side of Berry Road.

With Conditions:

1. All work shall be in accordance with following plans by Underwood Engineers, Inc. received by the Department on May 12, 2003:
 - a. The Berry Road Culvert Extension Plan & Section (Figure 3-6) dated April 17, 2003; and
 - b. The Berry Road Culvert Extension Plunge Pool & Headwall Plan (Figure 3-7) dated April 24, 2003.
2. Work shall be conducted during low flow conditions.
3. No equipment shall enter the water.
4. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and further permitting by the Bureau.

With Findings:

1. The project is categorized as a Major Impact Project per Administrative Rule Wt 303.02(f), as the project will take place adjacent to designated prime wetlands under RSA 482-A:15.
2. The project is necessary to widen the roadway travel surface to facilitate two-way traffic, thereby improving public safety.
3. In a letter dated March 27, 2003 the NH Department of Resources and Economic Development Natural Heritage Bureau stated that it has no recorded occurrences for sensitive species near the project area.
4. In a letter dated April 7, 2003 the NH Division of Historical Resources determined that there are no known properties of architectural, historical, archaeological, engineering, or cultural significance within the project area.
5. In a letter dated April 24, 2003 the US Department of the Interior Fish & Wildlife Service (USFWS) stated that no federally-listed or proposed threatened or endangered species under the USFWS jurisdiction are known to occur in the project area.
6. In a letter dated July 14, 2003 the applicant received written consent from the owner of abutting Lot 0271-2 (Derry Tax Map 108) to conduct work on Lot 0271-2, in accordance with Rule Wt 304.04(a).
7. DES Wetlands Bureau staff conducted a field inspection of the project site on July 17, 2003. The field inspection determined that if work is conducted during low flow conditions and if proper erosion, siltation and turbidity controls are installed and maintained during construction, there will be no significant adverse impacts to the unnamed perennial stream nor a loss of the functions and values of Derry Prime Wetland F11.
8. On August 5, 2003 DES Wetlands Bureau conducted a public hearing for the proposed project, in accordance with Rule Wt 703.03. No comments were received at the public hearing.
9. At the aforementioned public hearing the applicant presented DES Wetlands Bureau staff with a letter dated July 11, 2003 signed by the Derry Town Administrator, Planning Board Chairman and Conservation Commission Chairman requesting a waiver of the Department's 28-day hold on permit issuance, as referenced in Rule Wt 704.01.
10. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
11. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
12. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
13. The applicant has sufficiently addressed the Criteria for Approval identified in Rule Wt 703.01(b)(1-5).

MINOR IMPACT PROJECT

2002-01414 DOWNING BROTHERS, INC, JONATHAN DOWNING, PRES.
ALTON Merrymeeting River

Requested Action:

Construct two 4 ft x 20 ft seasonal piers to be connected by an existing 5 ft x 16 ft wharf on 379 ft of frontage on the Merrymeeting River.

Inspection Date: 11/14/2002 by Darlene Forst

APPROVE PERMIT:

Construct two 4 ft x 20 ft seasonal piers to be connected by an existing 5 ft x 16 ft wharf on 379 ft of frontage on the Merrymeeting River.

With Conditions:

1. All work shall be in accordance with plans by Jonathan Downing revised July 5, 2003, as received by the Department on July 11, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and further permitting by the Bureau.

3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the piers shall extend more than 20 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor project per Rule Wt 303.03(d), construction of a 4 slip docking facility.
2. The applicant has 379 feet of frontage along Lake Winnepesaukee.
4. A maximum of 6 slips may be permitted on this frontage per Rule Wt 402.14, Frontage over 75'.
5. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, Boatslip, and therefore meets Rule Wt 402.14.

2003-00028

JANOFF, DAVID & MICHELLE KEYWORTH

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Excavate 48 sq ft in the bank to construct two 4 ft x 6 ft concrete pads, install two 6 ft x 40 ft seasonal hinged docks connected by a 6 ft x 12 ft seasonal walkway, with a seasonal boatlift and a seasonal, personal watercraft lift, and excavate 364 sq ft in the bank to construct a 26 ft x 14 ft perched beach with a 4 ft wide access stairs on an average of 200 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Excavate 48 sq ft in the bank to construct two 4 ft x 6 ft concrete pads, install two 6 ft x 40 ft seasonal hinged docks connected by a 6 ft x 12 ft seasonal walkway, with a seasonal boatlift and a seasonal, personal watercraft lift, and excavate 364 sq ft in the bank to construct a 26 ft x 14 ft perched beach with a 4 ft wide access stairs on an average of 200 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans and cross sections by Docks Unlimited received by the Department on August 6, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not be effective until the Wetlands Bureau has received initial monitoring report required by the Restoration Approval dated June 16, 2003.
4. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. The concrete pads shall be located completely landward of full lake shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32).

7. ALL seasonal structures shall be removed from the lake for the non-boating season.
8. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
9. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau's jurisdiction.
10. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. No more than 10 cu yds of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The initial monitoring report required by the Restoration Approval is due no later than August 20, 2003.
6. The property was purchased by Mr. & Mrs. Janoff from Mr. Delong on August 4, 2003.

2003-00221 LACONIA, CITY OF
LACONIA Unnamed Wetland

Requested Action:

Temporarily impact 2100 square feet of jurisdictional drainage ditch adjacent to Rollercoaster Road for the installation of a sewer line and fill 5525 square feet of scrub shrub wetland for the construction of a sewer pump house and replace an existing 42-inch x 35 foot culvert with a 48-inch x 45 foot culvert within a perennial stream.

Conservation Commission/Staff Comments:

The conservation commission has concerns because the pump house is located within a conservation easement.

APPROVE PERMIT:

Temporarily impact 2100 square feet of jurisdictional drainage ditch adjacent to Rollercoaster Road for the installation of a sewer line and fill 5525 square feet of scrub shrub wetland for the construction of a sewer pump house and replace an existing 42-inch x 35 foot culvert with a 48-inch x 45 foot culvert within a perennial stream.

With Conditions:

1. All work shall be in accordance with plans by Hoyle Tanner and Associates dated April 2003, as received by the Department on June 19, 2003.
2. Any further alteration of areas that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and depict temporary siltation/erosion/turbidity control measures to be implemented.
5. All work shall be within the existing Rollercoaster Road right-of-way or within the sewer easement on tax map 2 lot 2-191-2.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain until the area is stabilized.

7. Work shall be done during low flow.

8. This permit allows only for the replacement of the existing culvert within the perennial stream. The permittee shall not replace other culverts within the jurisdiction of the wetlands bureau without amending this permit.

9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

11. Temporary impact areas shall be regraded to original contours following completion of work.

12. Wetlands areas to be restored shall be planted with a wetland seed mix and mulched with straw.

13. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

14. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. Silt fencing must be removed once the area is stabilized.

19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. DES Staff conducted a field inspection of the proposed project on May 21, 2003. Field inspection determined that the existing culvert under Rollercoaster Road is in need of replacement as the existing road is beginning to collapse above the culvert.

4. The proposed project is for the installation of a sewer line which will provide municipal sewer for this road and will improve the overall quality of the environment.

5. The setback distance to the proposed pump house is necessary because of public safety concerns and local zoning setbacks.

6. The impacts associated with the pump house have been minimized with 2:1 side slopes.

7. The applicant has provided a copy of the recorded sewer easement on lot 2-191-2.

2003-00661

MANCHESTER, CITY OF

MANCHESTER Tributary To Merrimack River

Requested Action:

Dredge and fill 7,773 sq. ft. of highly impacted

jurisdictional wetlands in an existing stormwater discharge ravine and reroute drainage through a 48 in. drain pipe system to provide for proposed municipal/commercial site development.

Inspection Date: 08/06/2003 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill 7,773 sq. ft. of highly impacted

jurisdictional wetlands in an existing stormwater discharge ravine and reroute drainage through a 48 in. drain pipe system to provide for proposed municipal/commercial site development.

With Conditions:

1. All work shall be in accordance with plans by Kimball Chase dated March 2003, as received by the Department on April 14, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Waste Management Division.
5. This permit is contingent on compliance with any and all requirements for site remediation set forth by the DES Hazardous Waste Remediation Bureau.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 6, 2003. Field inspection determined this site is a highly impacted stormwater discharge ravine in an urban/commercial/industrial setting having very low wetland/wildlife habitat value.

2003-00663 WILMOT, TOWN OF
WILMOT Pleasant Stream

Requested Action:

Permanently remove the existing bridge and associated abutments from jurisdiction and dredge and fill 4,241 square feet in riverine wetlands and within the banks of Pleasant Stream to upgrade the Campground Road Bridge. Work within jurisdiction consists of the construct of the abutments, a new bridge deck, widening of the roadway and bank stabilization

Conservation Commission/Staff Comments:

No comments received by the Conservation Commission as of May 30, 2003.

Inspection Date: 05/09/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Permanently remove the existing bridge and associated abutments from jurisdiction and dredge and fill 4,241 square feet in riverine wetlands and within the banks of Pleasant Stream to upgrade the Campground Road Bridge. Work within jurisdiction consists of the construct of the abutments, a new bridge deck, widening of the roadway and bank stabilization

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering dated August 2, 2002, as received by the Department on June 16, 2003.
2. The Town shall obtain all necessary easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2003-00663 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans.

Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

4. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), disturbance of between 50 and 200 linear feet of a perennial nontidal stream and its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 9, 2003. Field inspection determined the plans accurately depict the site conditions.
6. This project will benefit public safety through widening existing roadway from 17 feet to 24 feet.

Requested Action:

Dredge and fill 7212 square feet and install a 34 foot x 12-inch culvert and a 34 foot x 15-inch culvert for the construction of an access road in the subdivision of 85 acres into 7 single family residential lots.

Conservation Commission/Staff Comments:

The conservation commission has no objections to this permit per their letter dated May 15, 2003.

APPROVE PERMIT:

Dredge and fill 7212 square feet and install a 34 foot x 12-inch culvert and a 34 foot x 15-inch culvert for the construction of an access road in the subdivision of 85 acres into 7 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Ham brook Land Survey, as received by the Department on May 5, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for lots 1B, 1C, 1D, 1E, 1F, and 1G in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Work shall be done during low flow.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. Orange construction fencing shall be placed at the limits of construction whenever work comes within 30 feet of a wetland to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The conservation commission agrees with the proposed project.
6. The culverts have been sized to conduct flows for a 10-year storm event.
7. Condition #2 of this subdivision does not apply to residual lot 1 as future subdivisions may occur on that parcel.

2003-01023 THE GUTIERREZ COMPANY
MANCHESTER Unnamed Trib. To Cohas Brook

Requested Action:

Dredge and fill a total of 14,822 sq. ft. of previously impacted palustrine forested/scrub-shrub wetlands, including culvert crossings of a perennial stream and an intermittent stream, for commercial site development.

Compensatory mitigation will provide a total of 22,233 sq. ft. of constructed forested wetlands on site.

Conservation Commission/Staff Comments:

The Manchester Conservation Commission has reviewed the plans, conducted a site walk and recommends approval of the project.

APPROVE PERMIT:

Dodge and fill a total of 14,822 sq. ft. of previously impacted palustrine forested/scrub-shrub wetlands, including culvert crossings of a perennial stream and an intermittent stream, for commercial site development.

Compensatory mitigation will provide a total of 22,233 sq. ft. of constructed forested wetlands on site.

With Conditions:

1. All work shall be in accordance with plans by Opechee Construction Corporation dated 5/13/03, as received by the Department on May 28, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau except as utilized in the wetlands creation areas.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.

Compensatory Mitigation/ Wetland Construction:

1. This permit is contingent upon the creation of 22,233 sq. ft. of forested wetlands in accordance with plans and narrative by Gove Environmental Services, Inc. received on May 28, 2003.
2. This permit shall not be effective until it has been recorded with the Hillsborough county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
4. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
5. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than five (5) business days prior to construction.
8. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1st of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
9. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
10. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
11. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during

construction and during the early stages of vegetative establishment.

13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-01289 MELANSON, JOE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Dredge 2 cu yds from 24 sq ft of lakebed to install 6 ft wide stone steps recessed into the bank for lake access from an existing 21 ft x 23 ft perched beach, repair a 4 ft x 38.5 ft permanent pier, and install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 2 ft concrete pad on an average of 413 ft of frontage on Lake Wentworth.

Conservation Commission/Staff Comments:

Con. Com. had no objections to the project.

APPROVE PERMIT:

Dredge 2 cu yds from 24 sq ft of lakebed to install 6 ft wide stone steps recessed into the bank for lake access from an existing 21 ft x 23 ft perched beach, repair a 4 ft x 38.5 ft permanent pier, and install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 2 ft concrete pad on an average of 413 ft of frontage on Lake Wentworth.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction of Wolfeboro, Inc. dated May 23, 2003, revised July 24, 2003, as received by the Department on July 31, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Dredged and removed material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. Repair shall maintain existing size, location and configuration.
9. The seasonal pier shall be removed from the lake for the non-boating season.
10. No portion of the seasonal pier shall extend more than 40 feet from the shoreline at full lake elevation.
11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

14. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 4-slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 18, 2003. Field inspection determined the project to be approvable.

2003-01439 MILLS, ROBERT
NEWBURY Lake Sunapee

Requested Action:

Modify existing nonconforming 7 ft 10 in x 21 ft 8 in crib pier connected to an 8 ft x 8 ft deck with a 7 ft 6 in x 22 ft walkway by increasing the inner slip width from 8 ft 9 in to 11 ft, and increasing the size of the deck to 8 ft x 12 ft on an average of 100 ft of frontage on Lake Sunapee.

Conservation Commission/Staff Comments:

Con. Com. did not respond to application.

DENY PERMIT:

Modify existing nonconforming 7 ft 10 in x 21 ft 8 in crib pier connected to an 8 ft x 8 ft deck with a 7 ft 6 in x 22 ft walkway by increasing the inner slip width from 8 ft 9 in to 11 ft, and increasing the size of the deck to 8 ft x 12 ft on an average of 100 ft of frontage on Lake Sunapee.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:2,VIII,(b), Definitions; Boat slip, "[o]n water bodies of 10,000 acres or less, a volume of water 20 feet long, 6 feet wide, and 3 feet deep as measured at normal high water mark and located adjacent to a structure to which a watercraft may be secured."
2. In accordance with RSA 482-A:3, Excavating and Dredging Permits, effective July 1, 2003, "[t]he permit application fee for minor and major shoreline structure projects shall be \$100 plus an impact fee, based on the area of dredge, fill, or dock surface area proposed, or a combination. The shoreline structure impact fee shall be \$1 per square foot for permanent dock surface area; \$0.50 per square foot for seasonal dock surface area; and \$0.10 per square foot for dredge or fill surface area or both."
3. In accordance with Rule Wt 302.03, Avoidance and Minimization, "[t]he applicant shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that his proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction."
4. In accordance with Rule Wt 302.04(d)(1), Requirements for Application Evaluation, the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
5. In accordance with Rule Wt 402.22, Modification of Existing Structures, "[t]he department shall not approve any change in size, location or configuration of existing structures unless the applicant demonstrates that and the department finds the modification to be less of an environmental impact or provides for less boat slips and less construction surface area over public submerged lands than the current configuration."
6. This project is classified as a minor project per Rule Wt 303.03(d), modification of a permanent 2-slip docking structure.

Findings of Fact

7. On July 7, 2003, the Wetlands Bureau received an application for bank and surface water impacts, on the lot identified as Newbury tax map 18, lot 631, for the modification of a nonconforming, permanent 2-slip docking structure.
8. This project involves removing approximately 32.5 square feet of surface water impacts and adding 48 square feet of surface water impacts, for a total increase of 15.5 square feet in surface water impacts.
9. The applicant's statement that the modified docking structure has a total reduction of 37 square feet of impacts is based on the inclusion of impact reductions within the bank.
10. The applicant proposes an 11 foot wide center slip, which exceeds the dimensions allowed per RSA 482-A.
11. The applicant submitted \$50 for the application fee.
12. As of July 1, 2003, the appropriate fee for this application is \$131.50.

Rulings in Support of the Decision

13. The requested 11 ft wide slip exceeds the slip width defined per RSA 482-A:2,VIII,(b), and therefore, is not approvable.
14. The applicant has failed to submit the appropriate application fee as set forth under RSA 482-A:3.
15. The applicant has failed to submit evidence demonstrating that this project is the least impacting alternative under Rule Wt 302.03, Avoidance and Minimization.
16. The proposed modification of the nonconforming structure will result in no reduction of environmental impact or boat slips but will increase the construction surface area over public submerged lands, and therefore, is not approvable per Rule Wt 402.22.

2003-01503 ZAMBERNARDI, WILLIAM
HAMPTON Unnamed Wetland

Requested Action:

Impact 1,000 square feet of previously developed upland tidal buffer zone for the grading and resurfacing of two driveway areas to equal, but not to raise above, the grade of the abutting properties; and for the addition of loam at the base of the driveway on the western side of the existing house, along the foundation on the eastern side of the existing house, and along the southern side of the existing deck.

Conservation Commission/Staff Comments:

No locus found on USGS map. Digitized from tax map.

Inspection Date: 06/04/2003 by Christina Altimari

APPROVE PERMIT:

Impact 1,000 square feet of previously developed upland tidal buffer zone for the grading and resurfacing of two driveway areas to equal, but not to raise above, the grade of the abutting properties; and for the addition of loam at the base of the driveway on the western side of the existing house, along the foundation on the eastern side of the existing house, and along the southern side of the existing deck.

With Conditions:

1. All work shall be in accordance with plans by William Zambernardi, as received by the Department on July 16, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Finished grades of the driveway and loamed areas shall not exceed the existing elevation of the abutting properties, and shall not

redirect water onto abutting properties or the saltmarsh.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects that involve work within 50 feet of a saltmarsh.
2. Per Wt 302.01, the applicant has demonstrated the proposed impacts are necessary to protect the existing house from flooding as a result of excessive runoff.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03, as the applicant does not propose to exceed the elevations of the abutting properties, or redirect water to the abutting properties and/or the saltmarsh.
4. One of the two abutters whose property lines exist within 20 feet of the proposed impacts have provided their written approval.
5. The applicant has requested that the requirement to obtain the second abutter's approval be waived.
6. DES Staff conducted a field inspection of the proposed project on June 4, 2003.
7. Field inspection finds that grading will be raised to equal that of the easterly abutting neighbor and therefore will not negatively impact the property abutting on the east.
8. The NH Natural Heritage Inventory (NHNHI) has record of one natural community of special concern within the project vicinity, a Gulf of Maine Salt Marsh.
9. DES field inspection finds that the proposed project will not cause any negative environmental impacts to the Gulf of Maine Salt Marsh, as the project is not located in the saltmarsh and appropriate erosion and siltation controls will be used to assure that the saltmarsh is protected.

MINIMUM IMPACT PROJECT

2003-01407 ZITSER, BARRY
BETHLEHEM Unnamed Stream

Requested Action:

Dredge and fill approximately 240 square feet (26 linear feet) within the bed and banks of a seasonal stream to install a 49-inch x 33-inch x 25.5-foot elliptical culvert and fill approximately 80 square feet of an isolated forested wetland to construct a driveway to access a single-family building lot.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated June 30, 2003 the Bethlehem Conservation Commission stated that it did not wish to intervene in the application.

APPROVE PERMIT:

Dredge and fill approximately 240 square feet (26 linear feet) within the bed and banks of a seasonal stream to install a 49-inch x 33-inch x 25.5-foot elliptical culvert and fill approximately 80 square feet of an isolated forested wetland to construct a driveway to access a single-family building lot.

With Conditions:

1. All work shall be in accordance with the Site Development Plan by Provan & Lorber, Inc. dated June 2003 as received by the Department on June 30, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Work shall be conducted during no flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.

8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(z).
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01(b).
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2003-01425 BRADY, JAMES
WHITEFIELD Burns Pond

Requested Action:

Fill approximately 320 square feet of previously impacted jurisdictional wetlands for access

APPROVE PERMIT:

Fill approximately 320 square feet of previously impacted jurisdictional wetlands for access

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on June 30, 2003.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NHDOT District Office in Lancaster was contacted by DES on August 6, 2003, concerning notification of this project. The NHDOT has no objection to this project.

2003-01483 WETHERBEE, DUANE
PITTSBURG Round Pond

Requested Action:

Repair in-kind an existing 14 ft x 20 ft boathouse on an average of 194 ft of frontage on Round Pond, Pittsburg.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Repair in-kind an existing 14 ft x 20 ft boathouse on an average of 194 ft of frontage on Round Pond, Pittsburg.

With Conditions:

1. All work shall be in accordance with plans by Karen Dickson dated November 29, 1997, as received by the Department on July 11, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No portion of the boathouse may be converted to any use other than storage for boat or boat accessories.
8. Dredged and removed material shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau prior to new construction.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. Work shall be done during low flow.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-01502 FROST, ALBERT & DONNA
STRATHAM Squamscott River

Requested Action:

Impact 20 square feet within the upland tidal buffer zone for the installation of two (2) utility poles.

Conservation Commission/Staff Comments:

No USGS map. Digitized from tax map.

APPROVE PERMIT:

Impact 20 square feet within the upland tidal buffer zone for the installation of two (2) utility poles.

With Conditions:

1. All work shall be in accordance with plans for a sanitary disposal system on Tax Map 1/Lot 12 and stamped by Timothy J Ferwerda, CWS on 6/3/02, with revisions by Donna Frost to add utility pole locations, as received by the Department on July 16, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Material excavated from the utility pole locations shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. Per Wt 302.01, the applicant has demonstrated the proposed impacts are necessary to provide electricity to the propoerty.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

FORESTRY NOTIFICATION

2003-01329 SUTTERS, PETER & DEBRA
WEST STEWARTSTOWN Unnamed Stream

COMPLETE NOTIFICATION:

West Stewartstown Tax Map A5, Lot# 17

2003-01523 OUIMETTE, DANIEL
COLUMBIA Unnamed Stream

COMPLETE NOTIFICATION:

Columbia Tax Map 409 & 410, Lot# 3 & 53

2003-01640 YANKEE FOREST, LLC, C/O WAGNER FORESRT
MILAN Unnamed Stream

COMPLETE NOTIFICATION:

Milan Tax Map 42, Lot# 2 Parcel J

2003-01641 WILLIAMS, ROGER
CHARLESTOWN Unnamed Stream

COMPLETE NOTIFICATION:

Charlestown Tax Map 17, Lot# 16

2003-01642 STROUT, PERLEY & MARCIA
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax Map 6, Lot# 32

EXPEDITED MINIMUM

2002-01920 HILLMAN, JOHN
CANTERBURY Tributary To Goesmeadow Brook

Requested Action:

Approve name change to: Earl Harriman/Iana Brooks, PO Box 207, 71 Baptist Rd., Canterbury, NH 03224 per request received 8/7/03.

APPROVE NAME CHANGE:

Fill 825 sq. ft. of forested wetlands and install an 18" culvert and a 12" culvert to provide driveway access to a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by Matthew E. Moore dated August 2002, as received by the Department on August 21, 2002.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Proper headwalls shall be constructed within seven days of culvert installation.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-01006 CONNERS, KATE
WARNER Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,117 square feet of palustrine forested wetlands and install a 15" x 20' culvert to provide access to a single family residence

Conservation Commission/Staff Comments:

Conservation Commission signed the minimum expedited application on May 24, 2003.

APPROVE PERMIT:

Dredge and fill approximately 2,117 square feet of palustrine forested wetlands and install a 15" x 20' culvert to provide access to a single family residence

With Conditions:

1. All work shall be in accordance with plans by Landmark Land Services dated May 2003, as received by the Department on May 28, 2003 and additional information received on July 7, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. No fill shall take place in Atlantic white cedar swamps.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-01324 GSL LLC
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill 1,470 sq. ft. of palustrine wet meadow and scrub-shrub wetlands to construct a driveway/culvert crossing to access two commercial lots.

Conservation Commission/Staff Comments:

Bedford Conservation Commission recommends approval.

APPROVE PERMIT:

Dredge and fill 1,470 sq. ft. of palustrine wet meadow and scrub-shrub wetlands to construct a driveway/culvert crossing to access two commercial lots.

With Conditions:

1. All work shall be in accordance with plans by Vanasse, Hangen, Brustlin, Inc. dated June 18, 2003, as received by the Department on June 26, 2003.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow.

2003-01415 STATE OF NH DRED, DIV. OF FOREST & LANDS
DEERFIELD Unnamed Stream

Requested Action:

Dredge and fill a total of 940 sq. ft. of palustrine wetlands to replace a stone culvert with a 15 in. culvert, construct a stone-lined spillway and upgrade the access roadway to the Woodman State Forest Wildlife Management Area.

Conservation Commission/Staff Comments:

Deerfield Conservation Commission recommends approval.

APPROVE PERMIT:

Dredge and fill a total of 940 sq. ft. of palustrine wetlands to replace a stone culvert with a 15 in. culvert, construct a stone-lined spillway and upgrade the access roadway to the Woodman State Forest Wildlife Management Area.

With Conditions:

1. All work shall be in accordance with plans by NH DRED dated 3 Sept. 1993, as received by the Department on July 07, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow.

2003-01463 RAZZABONI HOME BUILDERS INC
BROOKLINE Unnamed Wetland

Requested Action:

Dredge and fill 189 sq. ft. of palustrine forested/scrub-shrub wetland to construct a roadway/culvert crossing to access a 36-lot, single family residential subdivision on an 86.2 acre parcel of land with lot F-106, being 32.036 acres, remaining as open space.

APPROVE PERMIT:

Dredge and fill 189 sq. ft. of palustrine forested/scrub-shrub wetland to construct a roadway/culvert crossing to access a 36-lot, single family residential subdivision on an 86.2 acre parcel of land with lot F-106, being 32.036 acres, remaining as open space.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated April 24, 2003, as received by the Department on July 11, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.

2003-01477 LEIGHTON, R STEPHEN
STRAFFORD Unnamed Wetland

Requested Action:

Fill approximately 165 square feet of forested wetlands to construct a roadway to provide access to a 3-lot residential subdivision on 15.08 acres.

APPROVE PERMIT:

Fill approximately 165 square feet of forested wetlands to construct a roadway to provide access to a 3-lot residential subdivision on 15.08 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Norway Plains Associates, Inc. received by the Department on July 11, 2003:
 - a. The Subdivision Plan (Sheet 1 of 3) and the Topographic Subdivision Plan (Sheet 2 of 3) dated April 2003 and revised June 5, 2003; and
 - b. The Wetlands Impact Plan/Road Plan and Profile (Sheet 3W of 3) dated June 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. All slash shall be removed from the Department's jurisdiction within sixty (60) days from the date of this permit.
6. Work shall be conducted during low flow.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Stone aprons shall be installed at culvert outlets where appropriate to dissipate flow velocities and prevent scour and erosion.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Rule Wt 303.04(f), as the project involves alteration of less than

3,000 square feet of forested wetlands.

2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

2003-01562 JOHNSON, KATHLEEN
HOLLIS Unnamed Pond

Requested Action:

Maintenance dredge 18,000 sq. ft. accumulated sediments and debris from a man-made irrigation pond.

APPROVE PERMIT:

Maintenance dredge 18,000 sq. ft. accumulated sediments and debris from a man-made irrigation pond.

With Conditions:

1. All work shall be in accordance with plans by Applicant as received by the Department on July 21, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

2003-01592 AGEL, GORMAN & YUREK
MEREDITH Lake Winnepesaukee

Requested Action:

Replace in-kind (2) existing 3-piling ice clusters adjacent to an 80 linear ft nonconforming docking structure on an average of 214 ft of frontage on Bear Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Replace in-kind (2) existing 3-piling ice clusters adjacent to an 80 linear ft nonconforming docking structure on an average of 214 ft of frontage on Bear Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Mason Marine Construction dated June 30, 2003, as received by the Department on July 22, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. All ice cluster material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau prior to the installation of the new ice clusters.

6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-01627 WAGNER, RICHARD
BRIDGEWATER Newfound Lake

Requested Action:

Repair in-kind existing 55 ft breakwater by resetting existing rocks, and repair existing 4 ft x 47 ft cantilevered permanent pier on an average of 97 ft of frontage on Newfound Lake.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair in-kind existing 55 ft breakwater by resetting existing rocks, and repair existing 4 ft x 47 ft cantilevered permanent pier on an average of 97 ft of frontage on Newfound Lake.

With Conditions:

1. All work shall be in accordance with plans by Richard Wagner, as received by the Department on July 28, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
10. All removed material shall be placed outside the jurisdiction of the Wetlands Bureau prior to new construction.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or

revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-01637 LAKE SUNAPEE PROTECTIVE ASSOC
SUNAPEE Lake Sunapee

Requested Action:

Replace in-kind an existing 18 ft x 18 ft crib supporting an existing 27 ft tall light house approximately 105 ft off shore from Herrick Cove, Lake Sunapee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Replace in-kind an existing 18 ft x 18 ft crib supporting an existing 27 ft tall light house approximately 105 ft off shore from Herrick Cove, Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Central Lakes Dock Company, Inc. dated July 28, 2003, as received by the Department on July 30, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Dredged and removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. Repair shall maintain existing size, location and configuration.
11. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

GOLD DREDGE

2003-01654 TEAL, PETER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

SEASONAL DOCK NOTIFICATIO

2003-01651 GOOLBIS, BRIE
STODDARD Unnamed Pond Highland Lake

COMPLETE NOTIFICATION:
Stoddard Tax Map 126, Lot# 50 Highland Lake

2003-01652 MCKELVEY, RICHARD/SACHIKO
DALTON Forest Lake

COMPLETE NOTIFICATION:
Dalton tax map 201, lot# 35.01 Forest Lake

2003-01655 MERRILL, BRUCE
MILTON Milton Pond

COMPLETE NOTIFICATION:
Milton Tax Map 38, Lot# 0100 Milton Pond

2003-01656 BLUE, SHIRLEY
EATON Hatch Pond

COMPLETE NOTIFICATION:
Eaton Tax Map R4, Lot# 3 Hatch Pond

2003-01657 BARTLETT, ANDREW
BRISTOL Newfound Lake

COMPLETE NOTIFICATION:
Bristol Tax Map 102.028, Lot# 2 Newfound Lake

2003-01658 DAVIES, GEORGE
MIRROR LAKE Mirror Lake

COMPLETE NOTIFICATION:

Mirror Lake Tax Map 52, Lot# 10 Mirror Lake

2003-01662 KNIGHT, HOWARD & PAMELA
EAST WAKEFIELD Pine River Pond

COMPLETE NOTIFICATION:

East Wakefield Tax Map 54, Lot# 13 Pine River Pond

2003-01676 FLECK, JOSEPH
EAST WAKEFIELD Province Lake

COMPLETE NOTIFICATION:

E. Wakefield Tax Map 84, Lot# 36 Province Lake

2003-01677 BULMAN, RICHARD
WASHINGTON Island Pond

COMPLETE NOTIFICATION:

Washington Tax Map 12, Lot# 207 Island Pond

HEARINGS

2003-00886 DERRY, TOWN OF
DERRY Tributary To Crystal Springs

PRIME WETLANDS HEARING: 08/05/2003 09:00:00 AM

Dredge and fill approximately 620 square feet within the bed and banks of an unnamed perennial stream contiguous to Derry Prime Wetland F11 to extend an existing 36-inch x 28-foot culvert beneath Berry Road by approximately 8 feet and construct a concrete headwall and plunge pool to increase the width of the roadway travel surface to meet current Town of Derry Land Development Control Regulations.